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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

November 21, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2560
INTERNET ADDRESS:

Commissioner for Patents
Washington, D.C. 20231

Box: CPA

Re: U.S. Utility Patent Application
Request for Continued Prosecution Application (CPA)
Appl. No. 09/390,634; Filed: September 7, 1999
For: **Method for Expanding Embryonic Stem Cells in Serum-Free Culture**
Inventors: Price *et al.*
Our Ref: 0942.4190002/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form PTO/SB/17;
 2. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
 3. CPA Transmittal Form PTO/SB/29 (*in duplicate*);
 4. Supplemental Reply;
 5. First Supplemental Information Disclosure Statement;
 6. Listing of the cited documents on Form PTO-1449 (2 sheets);
 7. A copy of each of the three (3) cited documents on Form PTO-1449;

MEBESM 1/53/2001 0939063

01 FC:131
02 FC:102
03 FC:103
04 FC:104

Commissioner for Patents
November 21, 2001
Page 2

8. Check No. 33295 in the amount of \$4,158.00 to cover:

\$740.00	Basic filing fee (37 C.F.R. § 1.16(a));
\$522.00	Fee for extra dependent claims;
\$1,176.00	Fee for extra independent claims;
\$280.00	Multiple dependent claims
\$1,440.00	Extension of Time Under 37 C.F.R. § 1.136(a)(1); and

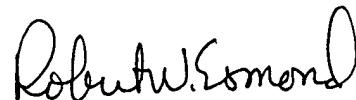
9. One return postcard.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

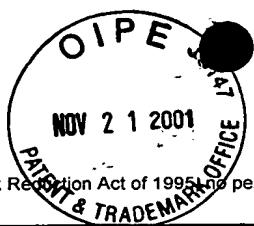


Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/FRC/pcd
Encls.

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TECH CENTER PTO/SB/29 (10-00)

Approved for use through 10/31/2002 OMB 2001-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX if applicable:
 DUPLICATE

Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	0942.4190002/RWE/FRC
	First Named Inventor	Paul J. Price
	Examiner Name	Kerr, J.
	Group/Art Unit	1633
	Express Mail Label No.	

This is a request for a continuation or divisional application under 37 CFR § 1.53(d),
(continued prosecution application (CPA)) of the prior application number 09 /390,634,
filed on September 7, 1999 entitled: Method for Expanding Embryonic Stem Cells in Serum-Free Culture.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice Changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000). 1233 Off. Gaz Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

Warning: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on _____ under 37 CFR § 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
.....
 - b. The inventor(s) to be deleted are set forth in a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS citations

[Page 1 of 2]

Burden Hour Statement: this form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

11/23/2001 MGE BREM1 00000020 09390634

01 FC:131	740.00 OP
02 FC:102	1176.00 OP
03 FC:103	522.00 OP
04 FC:104	280.00 OP

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	49-20* =	29	x \$ 18.00 =	\$522.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) or (i))	17-3** =	14	x \$ 84.00 =	1,176.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.16(d))			x \$ 280.00 =	280.00
				BASIC FEE (37 CFR § 1.16)	\$ 740.00
		=	Total of above Calculations		2,718.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.		TOTAL =		

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-0036:
- a. Fees required under 37 CFR § 1.16. b. Fees required under 37 CFR § 1.17.
- c. Fees required under 37 CFR § 1.18.
8. A check in the amount of \$ 4,158.00 is enclosed.
9. Payment by credit card. Form PTO-2038 is enclosed.
10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. Other: A Petition for the Extension of Time for the Parent Application
 Other: The Name of the Assignee is: Invitrogen Corporation
 Other: Supplemental Reply

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**14. NEW CORRESPONDENCE ADDRESS**

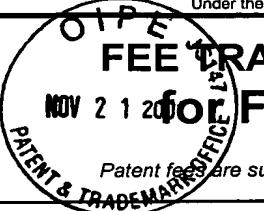
<input checked="" type="checkbox"/> Customer Number or Bar Code Label Customer No. 26111	(Insert Customer No. or Attach bar code label here)	<input type="checkbox"/> New correspondence address below
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Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.			
Address				
City	State		Zip Code	
Country	Telephone		Fax	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Robert W. Esmond
Signature	
Registration No. (Attorney/Agent)	32,893
Date	Nov. 21, 2001

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**FEE TRANSMITTAL**

NOV 21 2001 FOR FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$4,158.00)

Complete if Known

Application Number	09/390,634
Filing Date	September 21, 1999
First Named Inventor	Paul J. Price
Examiner Name	Kerr, J.
Group Art Unit	1633
Attorney Docket No.	0942.4190002/BWE/ERC

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